IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

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PRESENT

-

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 19827 of 1994

-

Between:

Mohd. Abdul Kareem S/o Mohd. Ali
R/o Hyderabad

..... PETITIONER

AND

-

1 The State of A.P. rep. by Principal Secretary to the

Government, Revenue (Registration) Department,

Secretariat Buildings, Hyderabad
2 Inspector General of Registration & Stamps

A.P.Exhibition Grounds, Nampally, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for records connected with the passing of impugned order in G.O.Ms.No.442 Revenue (Registration-II) Department dt:18-5-1994 and all other connected records and quash the same by issuing an appropriate Writ, Order or direction preferably one in the nature of writ of Certiorari.

Counsel for the Petitioner: MR.K.MAHIPATHI RAO

Counsel for the Respondents: GP FOR REVENUE

The Court Made the Following ORDER:

Heard both sides.

The petitioner herein is a practicing Lawyer from the last thirty-five years. He has been appointed as Notary under the Provisions of Notaries Act, 1952. On the allegation that the petitioner is collecting excess fee the matter has been enquired into by the second respondent and the second respondent after conducting enquiry, directed the petitioner to submit his explanation before the Government, the first respondent herein, and the petitioner has submitted his explanation. Having not satisfied with the explanation the first respondent cancelled the Certificate of Practice of Notary of the petitioner vide G.O.Ms.No.442, dated 18-5-1994.

Having regard to the nature of the allegations there is no justification for the petitioner to collect such excess amount. However, having regard to the fact that the petitioner is 70 years old and this court has suspended the impugned order of cancellation by order dated 5-12-1994 in W.P.M.P.No.24408 of 1994 and he has been continuing his practice as Notary, to meet the ends of justice the first respondent is directed to allow the petitioner to continue his practice of Notary.

Accordingly the Writ Petition is allowed. No costs.

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B. Prakash Rao, J.

8th July, 2004

js.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 The Principal Secretary to the Government, State of

A.P. Revenue (Registration) Department, Secretariat

Buildings, Hyderabad

2 Inspector General of Registration & Stamps

A.P. Exhibition Grounds, Nampally, Hyderabad.

3 Two CCs to G.P. for Revenue, High Court Buildings, High

Court of A.P., Hyderabad.(OUT)

4 2 CD copies.